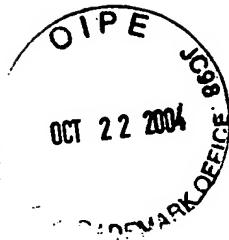


ReedSmith



ITV

Toni-Junell Herbert
Direct Phone: 202.414.9203
Email: caniedobe@reedsmith.com

Reed Smith LLP
1301 K Street, N.W.
Suite 1100 – East Tower
Washington, D.C. 20005-3373
202.414.9200
Fax 202.414.9299

October 22, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Re: U.S. Patent Application No. 10/069,357
Filed: February 25, 2002
For: Phospholipid Gel
Inventors: Ibscher et al.
Our Ref: 966927-00009 (Shanks & Herbert No. 0273-0009)

Sir/Madam:

Transmitted herewith for appropriate action are the following documents:

1. Response to Notice of Non-compliant amendment under 37 C.F.R § 1.121;
2. Copy of Notice of Non-compliant amendment; and
3. One return postcard.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622.

Respectfully submitted,

REED SMITH

By: 

Toni-Junell Herbert
Reg. No. 34,348

Encl.

LONDON ♦ NEW YORK ♦ LOS ANGELES ♦ SAN FRANCISCO ♦ WASHINGTON, D.C. ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND ♦ PRINCETON
FALLS CHURCH ♦ WILMINGTON ♦ NEWARK ♦ MIDLANDS, U.K. ♦ CENTURY CITY ♦ RICHMOND ♦ LEESBURG ♦ WESTLAKE VILLAGE

r e e d s m i t h . c o m



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ibscher et al.

Serial No.: 10/069,357

Filed: February 25, 2002

For: Phospholipid Gel

Art Unit: 1615

Examiner: Kishore, Gollamudi S.

Atty. Docket: 966927-00009

(0273-00009)

RESPONSE TO NOTICE OF NON-COMPLAINT AMENDMENT UNDER 37 C.F.R § 1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to notice of non-compliant amendment under 37 C.F.R. § 1.121, mailed October 13, 2004, Applicants submit the following corrected section of the amendments filed September 15, 2004, deemed to be non-compliant.

Said amendments being in response to non-final Office Action, it is believed that Applicants have until November 13, 2004, to respond to the notice of non-compliant amendment. As such, it is believed that no extension of time for response is necessary. If an extension of time is deemed necessary, then such extension of time is hereby petitioned under 37 C.F.R. §1.136(a), and any fees required thereof may be charged to our deposit account number 50-0622.

Applicants hereby re-submit the entire "Amendments to the claims" section of applicants' prior filed response and amendments.